

\$29,240,000 FINE ANNULLED BY COURT

UNITED STATES APPEAL BODY
REVERSES FAMOUS DECISION
OF JUDGE LANDIS.

Jurist Who Imposed Record Penalty
Is Hauled Over the Coals by Men
Who Decide Against His Ruling—
Grosscup Gives Opinion.

Chicago, July 23.—Federal judges in the court of appeals lifted the burden of a \$29,240,000 fine from the shoulders of the Standard Oil company of Indiana Wednesday and reversed the judgment of Judge Landis, by which the heaviest fine ever imposed in a federal court was saddled upon the oil company found guilty on 1,462 counts of accepting rebates from railroads. Speedy rehearing of the case, which has attracted widespread attention, is considered improbable, and the counsel for the oil company contend that a second conviction cannot be obtained.

The case was remanded with instructions that a new trial be held. The jurists making up the court of appeals are Judges Grosscup, Seaman and Baker.

Judge Grosscup delivered the opinion of the court, Judges Baker and Seaman concurring, and in sharp arraignment of the conduct of the trial judge intimated that he may have presumed to hold himself above the law.

Judge Landis Called Arbitrary. The decision declares that the manner in which Judge Landis decided upon the number of offenses that had been committed by the defendant company was arbitrary. It holds that some other method than the one he used should have been applied.

Then it passes to the amount of the fine, which it declares was "sufficient to have wiped out many times the property of the defendant." The court holds that the only company on trial was the Standard Oil Company of Indiana. It says that this corporation alone could be punished and that to attempt to punish its holding corporation would be to assert that a person could be punished who was never before the court or who had never stood trial. This, the judges say, would be to assert a startling principle of law.

Others Than Commerce Law. The court declares that the arraignment of the violation of an interstate commerce law was to be commended and that the results of such violations were not too strongly stated. It says, however, that the interstate commerce law is not the only one in the United States, and that it is because there are others that the case is reversed and remanded.

On the amount of the fine, the upper court said:

"Did the court in the fine imposed abuse its discretion? The defendant indicted, tried and convicted was the Standard Oil company, a corporation of Indiana. The capital stock of this corporation is \$1,000,000. There is nothing in the record in the way of evidence that some of the assets of the corporation were in excess of that amount. It may therefore be safely assumed that but for the relation of the defendant to another corporation not before the court, the court would have measured out punishment on the basis of the facts just stated."

Comment on Punishment.

The judges then commented on the punishment of the defendant in such a large amount and continued, saying:

"Briefly stated, the reason of the trial court for imposing this sentence was because it was brought out on examination that the capital stock of the Standard Oil Company of Indiana was principally owned by the New Jersey corporation, a corporation not before the court. The trial court, adding that in concessions of the character for which the defendant before the court had been indicted, tried and convicted, the New Jersey corporation was not a 'virgin' offender. 'Can an American judge, without abuse of judicial discretion, condemn anyone who has not had his day in court? That to our minds, is strange doctrine in Anglo-Saxon jurisprudence.'"

President Orders Re-Trial.

Oyster Bay, N. Y., July 24.—President Roosevelt has directed the attorney general to take immediate steps for the re-trial of the Standard Oil case.

"BILL" HAZARD IS RESCUED.

Taken from Nebraska Jail by Two Armed Friends.

Bassett, Neb., July 25.—"Bill" Hazard made his escape from jail at this place Friday. Several weeks ago he broke jail at Gregory, S. D., where he was held on the charge of stealing horses, and was captured last Thursday at Newport by Sheriff Marsh of Rock county and placed in jail here.

Early Friday two men appeared at the jail and, with guns, held up the guard and forced him to open the cell door and let the prisoner out. The guard was then locked in the cell, where he remained until found by the sheriff some hours later.

Archway Falls; Twenty Near Death.

St. Paul, Minn., July 23.—The archway over the main entrance to the St. Paul Union depot collapsed Wednesday, endangering the lives of 30 people and injuring one, A. Kergan, a cabman. He was badly cut about the shoulders and arms, but his injuries are not serious.

QUEBEC FETE IS OPENED

FOUNDING OF THE CANADIAN
CITY IS REPRODUCED.

Prince of Wales Reviews Pageant and
Exchanges Addresses with Vice-
President Fairbanks.

Quebec, July 24.—The arrival of the prince of Wales was the signal for the official opening Thursday of the celebration commemorating the three hundredth anniversary of the founding of Quebec by Champlain. The prince presided in person over the opening exercises, receiving the foreign representatives at the foot of the Champlain monument and reviewing the historical pageant reproducing Quebec's history.

A facsimile of Champlain's ship in which he crossed the Atlantic, the Don de Dieu, was constructed, and on this the representative of Champlain and his crew, dressed in the costumes of the period, sailed up to the city at the point where Champlain landed and entered the structure reproducing the rough palisade fortress which the navigator first occupied. Champlain and the other historical personages then filed before the prince of Wales. The historical groups took in the romantic period of the French occupation of Canada beginning with Jacques Cartier and his early adventures down to the battle between the armies of Montcalm and Wolfe on the plains of Abraham.

Before the review the prince returned official visits and he and Vice-President Fairbanks exchanged addresses in which each spoke of the good will existing between the United States and Great Britain.

Quebec, Que., July 25.—The prince of Wales had another day of strenuous activity beginning Friday morning with a grand review of the troops, sailors and marines on the plains of Abraham, then officiating as the title deeds of this historic battlefield were turned over as a permanent memorial, between times attending gala luncheons and dinners, and finally at night mingling with the gay throngs of beautifully-dressed women at the state ball at the Parliament building.

TWO DEAD, TWELVE WOUNDED.

Bloody Career of Desperados in Jamaica Plain, Mass.

Boston, July 23.—Two dead, a man and a woman probably shot fatally and ten others suffering from bullet wounds, sums up the record of the murderous career of two bandits who Wednesday terrorized the Jamaica Plain district, eluding the pursuit of hundreds of policemen and thousands of citizens. Starting on Tuesday night by entering a saloon in Jamaica Plain, three men, who are supposed to be Italians, killed one man with revolvers, wounded two others and, rifling the cash register, got away with \$90.

Early Wednesday evening, after the police had searched for them unsuccessfully all day, two of the robbers again appeared in Jamaica Plain and, firing revolvers, ran through the most thickly settled part of the district, leaving a trail of victims behind them.

Early Thursday the pair were supposed to be hiding in Forest Hills cemetery, which was surrounded by several hundred heavily armed policemen. Herbert S. Knox of Roslindale, night watchman at the cemetery, is the victim who is dead.

EIGHT CADETS SUSPENDED.

West Point Boys Accused of Hazing Lower Classmen.

West Point, N. Y., July 24.—Eight cadets in the United States Military academy here were sent to their homes Thursday as a result of hazing members of the fourth class.

They were William T. Russell, appointed at large, and Harry G. Weaver of Illinois, members of the first class, and Byron Q. Jones, New York; George W. Chase, New York; William M. Prude, Alabama; Isaac Spaulding, Oklahoma; William Nolle, Virginia, and James A. Gillespie of Pennsylvania, members of the third class.

The cadets who have been placed under suspension will have their cases passed upon by the secretary of war. Precedent in such cases sets the penalty as dismissal from the academy following proof of the hazing charge.

Policeman Accused of Murder.

New York, July 24.—Policeman David Sheppard of Brooklyn is under arrest, charged with the murder of Barbara Reig, whose body was found in Irving Square park, Williamsburg. While Sheppard confesses that he was with the girl when she was shot, he denies that he killed her, saying that she either shot herself with his revolver, which had been lying on a tool chest, or that the revolver exploded accidentally.

Funeral of Bishop Potter.

Cooperstown, N. Y., July 25.—The funeral of Bishop Henry C. Potter of the diocese of New York was held in this village Friday morning. The services were in the historic Christ church, where James Fenimore Cooper worshipped in his life time, the body the prelate being borne from "Fernleigh," where he died, through the churchyard where Cooper lies buried.

Old-Time League Catcher Dead.

Cleveland, O., July 23.—J. A. Sommer, 42 years old, veteran major league catcher, died of paresis at his home here Wednesday. Sommer once caught for Amos Rusie. He played with Indianapolis, Chicago and Boston. A widow and two children survive.

THE BUSINESS MAN'S VACATION.



PRESIDENT ASKS FIRST CLASS NAVY

ADDRESSES NOTABLE CONFERENCE
ON NEW AMERICAN
BATTLESHIPS.

Wants Best in World—Mr. Roosevelt's
Yacht Mayflower Runs Down Lumber
Schooner and Saves Crew on
Way to Newport.

Newport, R. I., July 23.—Pleading for popular support for a "first-class fighting navy," a navy capable of seeking out the enemy and "hammering him into gulfs," President Roosevelt was the central figure here Wednesday in the most notable conference of American naval officers ever called together to consult and discuss, in a broad, general way, the future United States battleships.

The president spoke publicly for more than half an hour, and then the conference went into executive session for one hour. During this session the president took a leading part in the discussion. He argued as a layman, he explained, and did not attempt to give advice to professional men. He impressed upon the officers, however, that it was given to them to keep the American navy abreast of the times and to make it the hard-hitting, efficient fighting force which he believes to be a guarantee against the possibility of war. Mr. Roosevelt characterized the navy as the cheapest form of safety insurance policy the nation can obtain. The president sailed for Oyster Bay in the afternoon, but the battleship conference will continue here and in Washington until definite plans for the ships to be laid down in the near future are decided upon.

Mayflower Cuts Down Schooner.

When the trim little cruiser yacht Mayflower, flying the president's white crested flag of blue at the main truck, steamed into the harbor Wednesday morning nearly two hours behind schedule time, with her bowsprit missing, one anchor gone, bow-plates dented and six strange figures in black oilskins and sou'westers gathered in the bow, she brought the story of an adventurous night's run in the blackest fog of the summer and of a collision in which the lumber-laden schooner Menawa was cut practically in two by the president's yacht.

A lifeboat lowered from the Mayflower picked up the crew of six men on the sinking boat. They were taken on board and when the Mayflower arrived here the president, who knew nothing of the accident until he arose in the morning, directed that they be given sufficient money to take them to their homes in Maine, and that the master of the schooner, Skipper Hutchinson, be provided with transportation to the office of his agents in New York.

Many at the Conference.

Assistant Secretary of the Navy Newberry attended the conference, as did Gen. Horace Porter, president of the Navy league and chairman of the visitors to the Naval Academy. The conference included no less than ten rear admirals of the navy and a host of officers from the grade of captain and below. Army officers from Fort Adams and Fort Greble also were invited to the conference. The officers applauded the president's aggressive naval address almost continuously. The president spent the entire time he was here upon the naval island.

Mrs. Stevenson's Condition Critical.

San Francisco, July 25.—It is reported that the condition of Mrs. Robert Louis Stevenson, who is ill at her home near Gilroy, Cal., is regarded as serious by the attending physician. She was injured recently in an automobile accident in Mexico.

Oklahoma Business Man Drowns.

Norman, Okla., July 23.—While swimming in Lake Norman, near here, Wednesday, John W. Holland, a prominent business man, and for 15 years a preacher in the Methodist church, was drowned.

HUGHES WILL RUN AGAIN

TO ACCEPT RENOMINATION IF
HIS PARTY SO WISHES.

Governor of New York Yields to Arguments of Friends—Will
Speak in Ohio.

Saranac Inn, N. Y., July 25.—Gov. Charles E. Hughes will accept a renomination if the Republican party of this state desires him to again be its candidate. In a statement made public Friday night the governor so declared himself and defined the reasons which he says are responsible for the action he has just taken.

The statement is intended as a reply to the many inquiries received by the governor regarding his attitude toward a renomination. He says the personal reasons which prompted him to say privately some time ago that he did not desire a renomination are not controlling and that "if renominated I ought to accept."

The governor declined to make any further comment for quotation, but



Gov. Charles E. Hughes.

made it clear that he regards the policies he has pursued since he assumed office on January 1, 1907, as a cause which should be continued. As he is sponsor for them, many of the governor's friends have expressed the opinion in letters to him that they can be carried out better if he is elected for another term.

It is known that the governor feels that he believes he has fulfilled his promises made in his telegram to the Republican state convention after his nomination and in his campaign speeches, that his administration would be free from so-called bossism and not conducted for any private interests.

That Gov. Hughes intends to take an active part in the coming national Republican campaign is evident from the fact that he has accepted an invitation to speak at Youngstown, O., on September 6, at which time the Republican campaign will be opened in that state.

BOLTS KILL GUARDSMEN.

Terrific Electrical Storm Hits Pennsylvania Militia Camp.

Gettysburg, Pa., July 24.—As the result of a terrific electrical storm which passed over the Pennsylvania National Guard encampment here Thursday night it is reported that at least six troopers were killed and two score injured, some of them seriously, by being struck by lightning.

The known dead are: Private Morrison, Tenth regiment; Private Barbe, Eighteenth regiment, and a member of Company C, Tenth regiment. The latter's body was completely severed. The tent occupied by Gov. Stuart was blown down, as were a number of others. The camp was flooded and telegraphic service was cut off.

Hangs Himself in Galesburg Jail.

Galesburg, Ill., July 24.—A man thought to be Nicholas Morlier, about 35 years old, hanged himself in the county jail Thursday while apparently mentally deranged.

"TAILS" UP TOSSED COIN FELL

AND ONE OF THE PARTIES TO SUICIDE PACT ENDS LIFE.

Standing in Front of a Mirror O'Brien
Sent a Bullet Through His
Heart.

Los Angeles, Cal., July 27.—The toss of a coin led John W. O'Brien, Shakespearean student, mining expert and globe trotter, to suicide in an apartment house on Grand avenue. He was well known in St. Louis and Chicago, having visited both cities frequently.

Goaded to the deed by financial reverses and possibly by a suicide pact, which was hinted at in a letter from a friend found among his possessions, O'Brien placed himself in front of a large mirror and sent a bullet through his heart. On the floor, by his side, was found a dime lying "tails" up, and on the table a note saying he would flip the coin to determine whether he would kill himself.

Among his possessions was found a volume of Shakespeare's works, besides numerous note-books and newspaper clippings concerning the writings of the English author. Many passages were marked.

The letters which hinted at a suicide pact were from G. W. Langford, an official of the Philippine Fishing Co. in Yambango, Philippine islands. In one of these, dated March 25, 1908, Langford advised O'Brien against getting married, saying that such "entanglements" would bring grief and sorrow to dear ones when the time came for them to fulfill their pledge to each other, unless fortune soon smiled upon them. Many letters in the same vein were found.

PHYSICIAN'S WIFE RUN DOWN

By Touring Car of Millionaire Tobacco Manufacturer.

St. Louis, Mo., July 27.—The wife of Dr. H. N. Lyon, a prominent physician, of 5303 Cabanne avenue, was run down and probably fatally injured Sunday night by a heavy touring car belonging to Fred. C. Peper, the millionaire tobacco manufacturer, also of this city.

Mrs. Lyon, who is prominent in society, was crossing the intersection of Hamilton and Maple avenues, when the big car, occupied by Peper and his chauffeur, came up, and before he could avoid it struck the woman, hurling her to the ground with crushing force. She was picked up in a dazed condition and sent to St. Luke's hospital, where it was found that, in addition to several internal injuries, she has suffered a fracture of the right leg and numerous bruises.

Millionaire Peper was arrested and locked up in the Twelfth district police station. He figured in the recent suit of heirs contesting Christian Peper's bequest to Christian Cornelius, Christian Peper's foster son.

Occupants of Auto Burned To Death.

Port Henry, N. Y., July 27.—J. E. Dodge, of Walden, Mass., and Lockwood Reed, of this place, met with a horrible death in an automobile accident Sunday night. While crossing Black Brook, six miles west of here Mr. Dodge, the owner of the car, who was driving, lost control of the machine, which left the road, pitched over the embankment, turning completely over as it fell causing the gasoline to explode. Dodge and Reed were caught under the machine and burned to death. S. E. Titus, of Syracuse, also a passenger, escaped injury.

Three Persons Killed.

Fort Smith, Ark., July 27.—Three persons were killed and three others more or less seriously injured between Goodland and Hugo, near here, Sunday afternoon when Frisco passenger train No. 6, due in Fort Smith at 6 o'clock Sunday night, was derailed. The dead are Mike Hickey, engineer; E. D. Clark, express messenger, and a tramp. The injured are Postal Clerk Miller, Fireman Jackson and a news agent. None of the passengers were hurt.

MARKET REPORTS.

Cincinnati, July 25.	
CATTLE—Extra	\$6 35 @ 6 50
CALVES—Extra	@ 7 25
HOGS—Choice	7 00 @ 7 10
SHEEP—Extra	@ 3 85
LAMBS—Spring	6 65 @ 6 75
FLOUR—Spring pat.	5 50 @ 5 80
WHEAT—No. 2 red.	91 @ 92
CORN—No. 2 mixed.	@ 81 1/2
OATS—No. 2 mixed.	@ 57 1/2
RYE—No. 2 choice.	84 @ 85
HAY—Ch. timothy	.13 00 @ .13 50
BUTTER—Dairy	@ 13 50
EGGS—Per doz.	15 @ 17
APPLES—Choice	3 25 @ 3 50
POTATOES—Per brl.	3 50 @ 3 75
TOBACCO—Burley	.12 50 @ .14 50
CHICAGO.	
WHEAT—No. 2 red.	90 1/2 @ 91 1/2
CORN—No. 2 mixed.	74 1/2 @ 75
OATS—No. 2 mixed.	@ 54
PORK—Prime mess.	@ 15 40
LARD—Prime	@ 9 35
NEW YORK.	
FLOUR—Win. patent	5 20 @ 5 50
WHEAT—No. 2 red.	@ 95 1/2
CORN—No. 2 mixed.	@ 78 1/2
OATS—No. 2 mixed.	@ 55
PORK—Prime mess.	17 00 @ 17 50
LARD—Steam	@ 8 55
BALTIMORE.	
WHEAT—No. 2 red.	@ 88
CORN—No. 2 mixed.	@ 73 1/2
OATS—No. 2 mixed.	@ 52
LOUISVILLE.	
WHEAT—No. 3 red.	@ 93
CORN—No. 2 mixed.	@ 70
OATS—No. 2 mixed.	@ 53 1/2
HAY—Ch. timothy	@ 14 00
HOGS—Extra	5 65 @ 5 80
LARD—Steam	@ 8 00
INDIANAPOLIS.	
CATTLE—Prime	@ 6 50
HOGS—Extra	6 40 @ 6 70
SHEEP—Extra	3 50 @ 3 80

HILLSBORO MARKETS.

Corrected Weekly by The Union Grocery Co.

HILLSBORO, July 28, 1908.

Retail Grocers.	
BUYING PRICES.	
Wheat, bushel	\$3
Corn	75
Oats	50
Potatoes	70a
White Beans bushel	3
Butter	14
Eggs, dozen	14
Young Chickens	15
Chickens, per lb.	9
Turkeys, per lb.	10
Ducks, per lb.	10
Bacon hams, per lb.	12
Bacon sides	12
Bacon shoulders	12
Lard	9
Hay, ton	10a 12
RETAIL PRICES.	
Ex. C Sugar	5
A Sugar	5 1/2
Granulated Sugar	5 1/2
Butter	14
Coffee, Rio	10a 15
Tea, Imp. Y. H. and O. P. per qr.	70
Tea, Black	30a 70
Cheese, factory	12a 15
Flour, good family brands cwt.	3 00
Molasses, N. O. gallon	80
Sorghum	49
Golden Syrup	40
Coal Oil	12a 15
Salt	1 30
Hams, city sugar cured, lb.	12a 10
LIVE STOCK.	
Beef, cwt., gross	5 00a 5 00
Sheep, Lambs, per cwt.	5 00a 5 00
Hogs, cwt., gross	5 00a 5 00
Stock Hogs, gross	5 00a 5 00
Milk Cows with Calves	5 00a 5 00

Teachers' Examination.

The Highland County Board of School examiners hereby gives notice that examinations of applicants for certificates will take place in the Washington School Building, Hillsboro, on the first and second of each month. Patterson examinations will be held on the third and fourth of April and on the second and third of May. Applicants for examination in special branches must notify the clerk at least two weeks before examination day. As prescribed by law, the fees for Teachers' examination will be 50 cents, while the Patterson examination no fee is charged. E. P. TIGHE, Pres. N. B. LAMONDA, Sec. H. B. GALLIOTT, Clerk. Board of Examiners.

Sealed Proposals.

HILLSBORO, O., July 7, 1908. Office of Board of Education of Hillsboro, Village School District. Notice is hereby given that the Board of Education of Hillsboro Village School District will receive sealed proposals up to noon, August 1, for the building of fire escapes at Washington, Webster and Lincoln School Buildings, according to specifications on file at clerk's office. The successful bidder will be required to give bond for the erection of said escapes according to specifications. Board reserves the right to reject any or all bids. The work to be done by September 1, 1908. By order of Board. J. B. WORLEY, Pres. WILL L. DUNCAN, Clerk.

PATENTS

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